## EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael King on May 5, 2009.

The application has been amended as follows:

Claims 4, 44, 48, and 51 were cancelled.

Claim 52. An air sensor device configured to collect airborne particles and to evaluate collected airborne particles in order to determine if the collected airborne particles indicate the presence of a biological threat, comprising:

a regenerable solid collection surface comprising an impaction plate for supporting a spot of immobilized airborne particles, the regenerable solid collection surface being specifically configured to remove particles from an air stream by impaction of the air stream against the regenerable solid collection surface;

means for regenerating the regenerable solid collection surface by removing particles from the regenerable solid collection surface, such that once regenerated, the regenerable collection solid surface can collect additional particles from the air, such that particles collected before regenerating the regenerable solid collection surface are substantially no longer present to contaminate particles collected after regeneration;

means for analyzing the spot of immobilized airborne particles while the particles remain disposed on the regenerable solid collection surface to determine if the spot of immobilized airborne particles represents a biological threat; and

a processor configured to implement at least one function selected from the group consisting essentially of:

(a) producing an alarm signal if the means for analyzing the spot of immobilized airborne particles indicates that the particles collected on the regenerable solid collection surface are potentially harmful to biological organisms;

(b) activating at least one additional component if the means for analyzing the spot of immobilized airborne particles indicates that the particles collected on the regenerable solid collection surface are potentially harmful to biological organisms; and

(c) determining a concentration of biological particles collected on the regenerable solid collection surface, and activating an alarm signal if the processor determines that the concentration of biological particles on the regenerable solid collection surface exceeds a predetermined value.

***Allowable Subject Matter***

2. Claims 1, 5, 21, 24, 29-38, 45-47, 49-50, and 52-53 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record (Danylewych-May) fails to teach or fairly suggest fails to teach or fairly suggest a device or teach a method comprising a spotting nozzle; the regenerable solid collection surface is part of an impaction plate; a dichroic mirror; an excitation filter or emission filter; a brush, pad, wheel, nozzle, blade, means for electrostatically charging, or means

for directing energy as a means for regenerating the regenerable solid collection surface, and a processor coupled to the means for analyzing the spot of immobilized airborne particles, which determines a concentration of particles collected on the regenerable solid collection surface and activates an air sampler to obtain a sample of particles from the same general volume of air that provided the particles originally deposited on the regenerable solid collection surface in combination with the remaining features and elements of the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

3. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Davies et al., Nguyen et al., and Herman.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LORE JARRETT whose telephone number is (571)272-7420. The examiner can normally be reached on Mon. to Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jill Warden/
Supervisory Patent Examiner, Art Unit 1797

LORE JARRETT
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5/5/09